

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

|                            |   |                            |
|----------------------------|---|----------------------------|
| AURORA LOAN SERVICES, LLC, | ) |                            |
|                            | ) |                            |
| Plaintiff,                 | ) |                            |
|                            | ) |                            |
| v.                         | ) | Civil Action No. 1:07cv677 |
|                            | ) |                            |
| FIRST METRO MORTGAGE, LLC, | ) |                            |
| <u>et al.</u> ,            | ) |                            |
|                            | ) |                            |
| Defendants.                | ) |                            |

MEMORANDUM OPINION

THIS MATTER came before the Court, without the need for oral argument, on the Motion by defendants ROBERT T. DAVIS and ROBERT T. DAVIS APPRAISALS (collectively, "defendants") to Exclude Plaintiff's Expert Designation and Report (# 41).

UPON REVIEW of defendants' Motion, defendants' Memorandum and Reply Brief submitted in support of the Motion, as well as plaintiff's Opposition, the Court makes the following findings.

First, the report of plaintiff's expert, Joshua H. Buchman, contains information relating to more than the dismissed negligence count which may be useful in considering the remaining counts against defendants.

Second, the relevance of Mr. Buchman's testimony is better determined by the Court at the time of trial.

THEREFORE, defendants' Motion to Exclude is hereby DENIED.

An appropriate Order shall issue.

ENTERED this 13th day of May, 2008.

/s/  
THERESA CARROLL BUCHANAN  
UNITED STATES MAGISTRATE JUDGE

Alexandria, Virginia